



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

12/Response  
T. Steptoe  
9-15-03

In re Application of:

Milligan et al.

Serial No. 09/919,699

Filed: 07/31/2001

For: FLUID EJECTING DEVICE  
WITH FLUID FEED SLOT

Art Unit: 2853

Examiner: Nguyen, L.

August 5, 2003

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
(VOLUNTARY REVISED PRACTICE)

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**BEST AVAILABLE COPY**

RECEIVED  
AUG 11 2003  
TECHNOLOGY CENTER 2800

Sir:

This is in response to an office communication mailed July 10, 2003, in the above-referenced application. The office communication included a Notice of Non-Compliant Amendment (Voluntary Revised Practice) which purported to report that the Response to an Office Action, filed June 25, 2003 (the Notice stated incorrectly that the amendment had been filed June 30, 2003) did not comply with what was then an optional, voluntary revised practice.

Applicants respectfully suggest that the Notice was in error. The amendment in the response of June 25, 2003 was made in accordance with the then existing rules without using the voluntary revised practice. In a telephone call of August 5, 2003, Supervisory Legal Instruments Examiner Tonya Tubbs, who had signed the Notice of Non-Compliant Amendment, told Applicant's attorney that the notice was in error.

09/919,699

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Applicants respectfully request that the Commissioner withdraw the Notice of Non-Compliant Amendment and enter the Response and Amendment as filed.

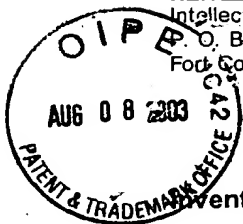
Respectfully submitted,



Peter Reitan  
Registration No. 48,603

Dated: 8/5/03

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IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): MILLIGAN et al.

Confirmation No.: 5384

Application No.: 09/919,699

Examiner: NGUYEN, LAM S

Filing Date: Jul 31, 2001

Group Art Unit: 2853

Title: FLUID EJECTING DEVICE WITH FLUID FEED SLOT

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
( ) No additional fee (Address envelope to "Mail Stop Non-Fee Amendment")  
(X) Other: Response to Notice of Non-Compliant Amendment (fee \$ )

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY       |                                            |                        |                                              |                         |             |                           |
|------------------------------------------------------|--------------------------------------------|------------------------|----------------------------------------------|-------------------------|-------------|---------------------------|
| (1)<br>FOR                                           | (2)<br>CLAIMS REMAINING<br>AFTER AMENDMENT | (3)<br>NUMBER<br>EXTRA | (4)<br>HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | (5)<br>PRESENT<br>EXTRA | (6)<br>RATE | (7)<br>ADDITIONAL<br>FEES |
| TOTAL<br>CLAIMS                                      | 16                                         | MINUS                  | 20                                           | = 0                     | X \$18      | \$ 0                      |
| INDEP.<br>CLAIMS                                     | 6                                          | MINUS                  | 6                                            | = 0                     | X \$84      | \$ 0                      |
| [ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM |                                            |                        |                                              |                         | + \$280     | \$ 0                      |
| EXTENSION<br>FEE                                     | 1ST MONTH<br>\$110.00                      | 2ND MONTH<br>\$410.00  | 3RD MONTH<br>\$930.00                        | 4TH MONTH<br>\$1450.00  |             | \$ 0                      |
| OTHER FEES                                           |                                            |                        |                                              |                         |             | \$                        |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT              |                                            |                        |                                              |                         |             | \$ 0                      |

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit: Aug 5, 2003

Typed Name: Colette Angle-Olson

Signature: Colette Angle-Olson

Respectfully submitted,

MILLIGAN et al.

By [Signature]

Peter Reitan

Attorney/Agent for Applicant(s)

Reg. No. 48,603

Date: Aug 5, 2003